

REGULAR BOARD MEETING of April 17, 2002, with Mayor Buck Trott and Commissioners H. N. James, Ron Sanders, Mike Cavender, Amy Patterson, and Hank Ross present.

Also present were Richard Betz, Lamar Nix, Larry Gantenbein, Bob Wright, Robert Wyatt, Paul Schmitt, David Young, and Kim Lewicki.

I. Call to Order.

The Mayor called the meeting to order at 7:00 p.m.

II. Approval of Agenda.

Copies of the agenda had been distributed by mail. The Clerk requested that a presentation by David Young and a Resolution Proclaiming National Volunteer Week be added to New Business, as they had been inadvertently omitted; he also requested that a police personnel matter be added to the Closed Session.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO APPROVE THE AGENDA AS AMENDED.

III. Approval of Minutes.

Copies of the minutes of the April 10 Regular Board Meeting had been distributed by mail.

MOVED BY COMM. ROSS, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO APPROVE THE MINUTES AS DISTRIBUTED.

IV. Reports.

1. The Mayor reminded the Board of the annual Gorge Clean-up scheduled for Saturday. He also reported that he had gone to Cashiers earlier in the day to see the American Cancer Society bus, which would be traveling to Washington to raise awareness about cancer survivors. He said that last year's Relay-for-Life has raised \$35 million in the Southeastern United States, including \$120,000 from Highlands alone.

2. The Town Administrator reported that he had discussed the Impoundment Ordinance with County Attorney Richard Jones; he had learned that it was in the process of being drafted and would be presented soon to the County Commissioners. Comm. Cavender asked that the Board request a copy of the proposed Ordinance when it has been prepared.

He also reported that the Bowery Road case had been heard by Judge Downs on Thursday and Friday, and a final decision was expected within two weeks. An easement had been prepared by the Town Administrator for access across the Prince House property from the Highlands Historical Society, as requested, as well as a first draft of a lease for the Chamber of Commerce Visitors Center; they would be forwarded to the Town Attorney for review.

He also submitted a written report concerning a meeting held at the Water Treatment Plant on April 16 to discuss new State surface water treatment rules. Those present were Ray McCall from the Public Water Supply Section; Richard Betz, Lamar Nix, Wade Wilson, and Jimmy Mull from the Town; Kurt Wright from W. K. Dickson Company; and Marco Varela, President of CITI LLC, a systems integration company. The new rules proposed more stringent filtration standards for public water supply systems, including turbidity and disinfection standards. They would require the Town, initially, to begin monitoring for total trihalomethanes (TTHM) and Haolacetic Acids (HAA5) to determine if the Town is exempt from disinfection profiling; if not exempt, additional profiling and benchmarking could be required. At the same time, the WTP's SCADA software, and also the computer hardware, was nearing obsolescence, a problem that Town

officials had been discussing with State officials, staff, and W. K. Dickson Company for some time. Informal proposals had been received from two companies recently to upgrade the SCADA software, and he and the Town Engineer recommended replacing the current Intellution software with a new software called Wonderwear, supplied by CITI, and also to replace the computer hardware. The Town was approaching non-compliance with the State because of the current software's inability to print data for required reports, the new software was accepted by and compatible with State software and reporting requirements, and it was the standard software now being used by other large treatment plants; the software would also be able to provide trend graphs and other important feedback on plant operation that would enable our plant to comply with these regulations and with the even more stringent regulations that are on the horizon. The cost was \$35,600, and there were adequate contingency funds budgeted in the Water Department for the year.

MOVED BY COMM. SANDERS, SECONDED BY COMM. ROSS, AND UNANIMOUSLY CARRIED TO ACCEPT THE CITI PROPOSAL FOR WATER TREATMENT PLANT HARDWARE AND SOFTWARE.

The Town Administrator also reported that he had received a preliminary proposal from S&ME for preparing the monitoring report for the Underground Storage Tank at the Town's Warehouse property; the cost would be \$5,000, and they thought initially that it might be reimbursable from the State Trust Fund. He agreed to provide a fuller report at the next meeting.

V. Old Business.

None.

VI. New Business.

1. MOVED BY COMM. CAVENDER, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO ADOPT THE FOLLOWING RESOLUTION

**RESOLUTION PROCLAIMING
NATIONAL DAY OF PRAYER IN HIGHLANDS**

WHEREAS, the history of our Nation is indelibly marked with the role that prayer has played in the lives of individual Americans, and indeed the United States as a whole; and

WHEREAS, our greatest leaders have always turned to prayer in times of crisis; and

WHEREAS, we acknowledge that prayer is a deeply personal experience—the way in which it finds expression depends on our individual dispositions as well as on our religious convictions; and

WHEREAS, the virtues of prayer have a common bond—our hope and aspirations, our sorrows and fears, our deepest remorse and renewed resolve, our thanks and joyful praise, and most importantly our love—all turned toward God; and

WHEREAS, I join with our President and the Governors of our United States and invite all citizens of the Town of Highlands to join me in earnest prayer for our Nation, our State, and our Town.

NOW, THEREFORE, I, Allen L. Trott, Mayor of the Town of Highlands, do hereby declare **Thursday, May 2, 2002**, as **NATIONAL DAY OF PRAYER** in the Town

of Highlands, North Carolina, and encourage my fellow citizens to join in prayer, asking that God's light may illuminate the minds and hearts of our people and our leaders, so that we may meet the challenges that lie before us with courage and wisdom and justice.

2. The Town Administrator reported that Dr. Robert Wyatt had been recently billed for over one million gallons of water used at his residence on Clear Creek Road, amounting to \$2,698, due to a water leak on his side of the meter; the meter had not been read for several months over the winter and the leak had not been discovered until March. He said that Town policy was to adjust the bill 50% in such cases.

Dr. Wyatt was present and provided each Board member with a memorandum proposing to pay only a portion of that amount; an amount equivalent to one month's usage would be \$537.80, and 15 days would be \$268.90, according to Dr. Wyatt's calculations. Although he had been living in the house through the winter, he said that he had been unaware of the leak; he did not feel that it would be fair to adjust the bill only 50% because, had the Town fulfilled its responsibility to read the meter regularly, the leak would have been detected sooner.

Comm. Cavender agreed; he felt that the Town had a responsibility to read meters regularly. Comm. Sanders asked about the policy for reading water meters during the winter; he understood they were supposed to be read every month unless bad weather did not permit it, and he pointed out that the winter had been a mild one. The Public Services Administrator agreed to inform the meter readers of this policy. Comm. James agreed that this was the Town's policy, but at the same time, he did not agree that the Town had a legal responsibility to read the meter every month, nor could we guarantee to do so. He felt this was an unusual situation, however, because water leaks of that size would ordinarily be detected sooner. Comm. Ross agreed that adjusting the bill would not be setting a precedent.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO ADJUST DR. ROBERT WYATT'S WATER BILL FOR THE PERIOD IN QUESTION TO \$537.80.

3. Paul Schmitt was present, and reported that he had consulted with an engineer concerning repairs to the roof of the Playhouse, as discussed at the November 7 meeting. Twenty percent of the roof had been replaced, but he said it was just placing a patch on the problem; it had been determined that, although the truss material was sound structurally, all of the roof sheathing needed to be replaced and the bottom cord of the trusses needed to be stiffened with steel rods. The cost would be \$10,900 more for the roof and sheathing, and \$8500 for the steel, jacking, and resetting of the trusses, for a total cost of \$19,400.

MOVED BY COMM. SANDERS, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO APPROVE THE EXPENDITURE.

Comm. James expressed some concerns over the expenditure; he pointed out that the lease required the lessee to make all repairs, and commented that the Town did not charge any rent for the building nor place funds into a capital reserve for repairs.

4. David Young was present, and presented a proposal to the Board for hanging flower baskets on the light poles along Main Street; he felt that the program, which he and his father had initially seen in Asheville, would beautify the downtown area. The brackets to be attached to the poles had been reviewed by Cecil Greene, the engineer with Shealy Electrical Wholesalers who had designed them, and approved; the cost would be \$94 each for the brackets, \$25 for the moss-lined flower baskets, and \$3000 for fertilizing and maintenance, for a total of between \$7,000 and \$8,000 for the 25 poles. He offered to install the brackets and baskets himself at his own expense, and said that he would request a pro rata reimbursement of the cost from business owners along Main Street.

He also offered to provide a Hold Harmless letter to the Town.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. ROSS, AND CARRIED TO GRANT PERMISSION TO MR. YOUNG TO HANG THE BRACKETS AND BASKETS AS PROPOSED AT HIS OWN EXPENSE. Comms. Cavender, Ross, Patterson, and Sanders voted "aye;" Comm. James voted "nay."

Comm. James commented that it seemed like a good proposal, but he was not ready to vote; he felt that the Board needed time to take the request under advisement and study it, since it involved a great deal of work on public property.

5. MOVED BY COMM. CAVENDER, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO ADOPT THE FOLLOWING RESOLUTION:

**RESOLUTION PROCLAIMING
NATIONAL VOLUNTEER WEEK IN HIGHLANDS**

WHEREAS, volunteering of one's time and resources is an essential part of our country's tradition and is essential to its spirit; and

WHEREAS, it is ever more in evidence that our nation's greatest resource is its people; and

WHEREAS, volunteerism is increasingly recognized as a central partner with government, education, and industry in doing the work of our nation; and

WHEREAS, volunteerism directly reflects the democratic principles upon which this nation was founded, in that everyone, regardless of circumstances or station or factors of race, age, sex, or creed, can volunteer; and,

WHEREAS, we are seeking even more contributions of human resources in volunteerism and better application of these valuable contributions.

NOW, THEREFORE, I, Allen L. Trott, Mayor of the Town of Highlands, wish to honor and thank the dedicated citizens of Highlands who give so freely of their valuable time, energy, and abilities by proclaiming this week of **April 21-27, 2002**, to be officially designated as **NATIONAL VOLUNTEER WEEK IN HIGHLANDS**; and in doing so, I call upon all citizens to help to renew and sustain the spirit and vitality of this great nation by committing a portion of their time in addressing the needs of their communities through voluntary action.

6. MOVED BY COMM. SANDERS, SECONDED BY COMM. ROSS, AND UNANIMOUSLY CARRIED TO GO INTO CLOSED SESSION PURSUANT TO G. S. §143-318(A)(6) TO DISCUSS APPLICATIONS FOR EMPLOYMENT FOR METER READER AND BILLING CLERK, AND TO DISCUSS A PERSONNEL MATTER IN THE POLICE DEPARTMENT.

All present left the room except the Clerk and the Public Services Administrator.

- A. The Town Administrator reported that David Head had submitted his resignation as Police Officer.
- B. The Public Services Administrator recommended employing Trimming Department employee James Baty in the Meter Reader position at his current salary.
- C. The Town Administrator recommended employing Megan Potts in the position of Billing Clerk

MOVED BY COMM. CAVENDER, SECONDED BY COMM. SANDERS, AND UNANIMOUSLY CARRIED TO GO INTO OPEN SESSION.

7. MOVED BY COMM. SANDERS, SECONDED BY COMM. CAVENDER, AND

UNANIMOUSLY CARRIED TO ACCEPT THE RESIGNATION OF DAVID HEAD AS POLICE OFFICER AND TO ADVERTIZE FOR THIS POSITION.

8. MOVED BY COMM. SANDERS, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO TRANSFER JAMES BATY FROM THE TRIMMING DEPARTMENT TO THE METER READER POSITION AT HIS CURRENT SALARY, AND TO ADVERTIZE FOR A POSITION IN THE TRIMMING DEPARTMENT; the new salary grade-step will be 8-6 (\$20,482).

9. MOVED BY COMM. SANDERS, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO EMPLOY MEGAN POTTS AS BILLING CLERK AT A BEGINNING SALARY OF 10-1 (\$19,983).

VII. MOVED BY COMM. CAVENDER, SECONDED BY COMM. ROSS, AND UNANIMOUSLY CARRIED TO ADJOURN.

There being no further business to come before the Board, the meeting was declared adjourned by the Mayor at 8:42 p.m.

Richard Betz, Town Clerk